IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

EERIK HEINE,	)	
Plaintiff,	)	
v.	)	Civil Action No. 15952
JURI RAUS,	)	
Defendant.	)	

AFFIDAVIT

RICHARD HELMS, Director of Central Intelligence, being first duly sworn, deposes and says:

1. The opinion of the United States Court of Appeals for the Fourth Circuit in the above-entitled matter suggests that my previous Affidavits do not clearly establish that Juri Raus, when he spoke on those occasions referred to in paragraphs 5, 6 and 7 of the Complaint, acted pursuant to instructions "given by, or with the approval of, a responsible, authorized official of the Agency." The opinion further suggests that the record be supplemented by a statement that "the director or a deputy director or a subordinate official, having authority to do so, authorized, approved or ratified the instructions" which Raus received.

2. This Affidavit is in response to those suggestions, and I have concluded that the following circumstances may be disclosed concerning the Agency's actions with respect to Eerik Heine.

3. On those occasions specified in paragraphs 5, 6 and 7 of the complaint filed in this action, as a Deputy Director of the Agency, I was charged by the Director of Central Intelligence, with the specific responsibility, among others, for the conduct of the Agency's counterintelligence

operations, the purpose of which is to protect intelligence activities, sources and methods against the operations of foreign intelligence services.

4. Prior to November 9, 1963, this Agency through confidential intelligence sources available to it received certain information concerning Eerik Heine which was analyzed and evaluated by counterintelligence officers responsible to me, who reached the conclusion that Eerik Heine was a dispatched Soviet intelligence operative, a KGB agent. In the performance of his assigned counterintelligence function, the counterintelligence officer responsible for safeguarding sources of intelligence developed within Estonian emigre groups, acting in accordance with his prescribed duties, instructed Juri Raus to warn members of the Estonian emigre groups that Eerik Heine was a Soviet intelligence operative, a KGB agent.

5. After initiation of the present suit, the entire matter was reviewed by me personally as a Deputy Director of the Agency. In December 1964, acting in my capacity as the said Deputy Director with responsibility for all Agency counterintelligence operations, I ratified and approved the action taken by the counterintelligence officer who instructed Juri Raus to warn members of the Estonian emigre groups that Eerik Heine was a Soviet intelligence operative, a KGB agent. In so ratifying and approving, I acted pursuant to the authority vested in me by the then Director of Central Intelligence. In my present capacity as Director of Central Intelligence, I now affirm that appropriate authority was vested in the said Deputy Director by the then Director of Central Intelligence to authorize, approve, or ratify the instructions given to Juri Raus. The several affidavits which I have provided the Court in this matter, in my capacity as the Deputy Director of Central Intelligence, were intended as ratification and approval of said instructions.

6. Aside from identifying my participation in the Agency decisions concerning Eerik Heine, as set forth herein, I have determined, pursuant to my statutory responsibilities as Director of Central Intelligence, that it would be contrary to the best interests of the United States to disclose the identity of the counterintelligence officer who instructed Juri Raus as described in paragraph 4 hereof, since such disclosure could either destroy his utility to the Agency or pose a serious hazard to his safety.

Richard Helms

STATE OF VIRGINIA)
) SS.
COUNTY OF FAIRFAX)

Subscribed and sworn to before me this 10th day of February, 1969.

Edward R. Daugherty Jr.
Notary Public

My commission expires 24 September 1969.